

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

TYLER KLINGENSMITH

PLAINTIFF

V.

CASE NO. 5:19-CV-5185

DEPUTY ADRIAN CRUZ,
ROBIN HOLT, JOSEPH ALLEN,
MEGAN RUTLEDGE, NICHOLAS
GUERRERO, RANDALL McELROY,
SGT. JOE ADAMS, ANTHONY COBB,
SGT. BRADY, SGT. COGDILL, BENTON COUNTY, et al.

DEFENDANTS

ORDER

Comes on for consideration the Report and Recommendation (Doc. 233) filed in this case on December 8, 2021, by the Honorable Christy Comstock, United States Magistrate Judge for the Western District of Arkansas. Fourteen (14) days have passed without objections being filed by the parties.

The Court has reviewed this matter and, being well and sufficiently advised, finds as follows: the Report and Recommendation is proper and should be and hereby is **ADOPTED IN ITS ENTIRETY**. Accordingly, for the reasons stated in the Magistrate Judge's Report and Recommendation, the Motion for Sanctions (Doc. 223) is **GRANTED**. Plaintiff is ordered to pay to Benton County, Arkansas, the amount of attorney's fees and costs it reasonably incurred in pursuing its Motion for Sanctions. That amount is **\$1,056.79**, which represents 5.5 hours of attorney work billed at a rate of \$190.00 per hour, plus \$2.29 in postage costs. (Doc. 234-1). If this sanction is not paid in full within thirty (30) days, or **by January 31, 2022**, then this case will be dismissed in its entirety for failure to obey a court order.

Plaintiff is directed to remit payment to Benton County's counsel, JaNan Arnold Thomas, at the following address:

JaNan Arnold Thomas, Esq.
Association of Arkansas Counties
Risk Management Services
1415 W. Third Street
Little Rock, AR 72201

Ms. Thomas is directed to inform the Court when the sanction is paid. She must also inform the Court if the sanction is not paid by January 31.

IT IS SO ORDERED on this 30th day of December, 2021.

/s/ Timothy L. Brooks

TIMOTHY L. BROOKS

UNITED STATES DISTRICT JUDGE